


00-*L*-1747

Entered -06-22-00 - sb
CL 00L0393 - GWENDOLYN BURNS

CLAIM OF: WINGFIELD A. DAVIS
4622 Club Circle, NE
Atlanta, Georgia 30319

For vehicular damages alleged to have been sustained from a
construction cut that was left open and in an unsafe condition on
May 19, 2000 at 4040 Peachtree Dunwoody Road, NE.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0393

Date: October 18, 2000

Claimant /Victim WINGFIELD A. DAVIS
 BY: (Attv) (Ins. Co.) _____
 Address: 4622 Club Circle, NE, Atlanta, Georgia 30319
 Subrogation: _____ Claim for Property damage \$ 100.00 Bodily Injury \$ _____
 Date of Notice: 01/12/00 Method: Written, Proper X Improper _____
 Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
 Date of Occurrence 05/19/00 Place: 4040 Peachtree Dunwoody Road, NE
 Department _____ Division _____
 Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when she drove over a construction cut in the roadway that was not properly covered and left in an unsafe condition. An investigation determined that United Water Services Atlanta performed work at the incident location. The claimant's claim has been forwarded and resolved by United Water Services Atlanta.

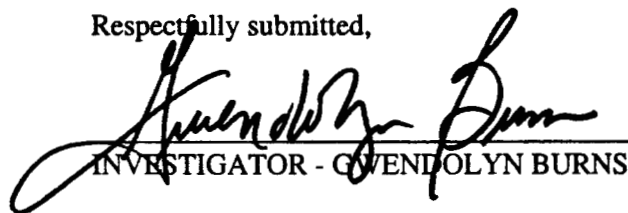
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
 Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X
 Traffic citations issued: City Driver _____ Claimant Driver _____
 Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
 Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
 City not involved X Offer rejected _____ Compromise settlement _____
 Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
 Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


 INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
 Claims Manager:  Concur/date 10-20-00
 Committee Action: _____ Council Action _____



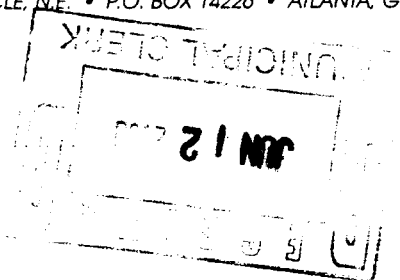
WINK DAVIS
EQUIPMENT
COMPANY,
INCORPORATED

SUITE 220 • 800 MIAMI CIRCLE, N.E. • P.O. BOX 14226 • ATLANTA, GEORGIA 30324-3048 • 404/266-2290 • FAX 404/266-1041

BURNS
06/19/00
Dm

June 9, 2000

Municipal Clerk
City Hall
55 Trinity Avenue, SW
Atlanta, GA 30335



ENTERED - 6-22-00 - SB
00L0393 - GWEN BURNS

06-12-00 P04:50 PM

Dear Municipal Clerk,

On May 19th, I picked up a new Mercury Marquis delivered that day. That evening, traveling from my home on Club Circle up Peachtree Dunwoody toward Peachtree, I hit a hole about 8" deep that had been cut in the pavement between 4038 and 4040 Peachtree Dunwoody on the south side of the street.

This hole was open and there were no warning signs. The next day, Saturday, I went back and checked the hole and it was about 8" deep. Later on Saturday afternoon, the hole had been covered with a sheet of metal.

As per attached, I had the damage checked by my insurance company and had it repaired, per bill attached. My insurance will cover the damage except for \$100 deductible and that is my claim against the city.

I will appreciate your help.

Sincerely,

Wingfield A. Davis

WD/lk

Attachment

00-R-1747

"Serving The Laundry Industry Since 1946"

ATLANTA • CHARLOTTE • CHICAGO • RICHMOND